

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

SAMUEL INDIG, MEIR KAHANA, and
ROBERT KLEIN,

Plaintiff

Case Number

vs.

18-cv-10204

THE VILLAGE OF POMONA, BRETT
YAGEL, LOUIS ZUMMO, LEON HARRIS,
and DORIS ULMAN,

Defendant

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

TAL PROPERTIES OF POMONOA, LLC,
and AVROHOM MANES,

Plaintiff

Case Number

vs.

17-cv-2928

VILLAGE OF POMONA, BRETT YAGEL,
MAYOR OF THE VILLAGE OF POMONA,
and DORIS ULMAN,

Defendant

Status of Earlier Filed Case:



Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)



Open

(If so, set forth procedural status and summarize any court rulings.)

Defendants filed motion to dismiss on October 16, 2017, which was granted on January 10, 2018. A judgment of dismissal was entered January 12, 2018.

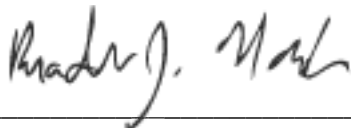
On November 2, 2018 Plaintiffs filed a motion to reopen case, pursuant to Rule 60(b)(2) and 60(b)(3), based on newly-discovered evidence and misconduct on the part of Defendants.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

This action (Indig, et al. v. Village of Pomona, et al., 18-cv-10204) and the earlier-filed case (TAL Properties, et ano. v. Village of Pomona, et al., 17-cv-2928) assert religious discrimination claims against the same Defendants as part of the same scheme. The discrimination suffered by Plaintiffs in both actions stems from a "hidden agenda against Jewish residents" of Pomona that was exposed by a whistle-blower in the Village government whose allegations were the subject of an investigation report issued, in June 2018, by the New York State Division of Human Rights.

Plaintiffs in the earlier filed action have moved to reopen the case based on the newly-discovered evidence of intentional discrimination revealed in the investigation report. That same evidence underlies the allegations of intentional religious discrimination in this action.

Signature: _____

Date: 11/6/18

Schlam Stone & Dolan LLP

Firm: _____